

ZB# 03-07

Rose Crudele

15-2-10

03-07

CRUDELE, ROSE - MYRTLE AVE.
15-2-10 AREA/INT. VARIANCE

P.H. 3/24/03

APPROVED

4/03

APPLICATION FEE (DUE AT TIME OF FILLING OF APPLICATION)

FILE # 03-07 TYPE: AREA ✓ USE _____

APPLICANT: Francis Whitaker for Rose Crudele

TELE: _____

RESIDENTIAL: \$ 50.00 CHECK # 129

COMMERCIAL: \$150.00 CHECK # _____

INTERPRETATION: \$150.00 CHECK # _____

ESCROW: \$300.00 / \$500.00 CHECK # #131

DISBURSEMENTS:

	MINUTES \$4.50 PER PAGE	ATTORNEY FEES \$35.00 / MEETING
PRELIM..... <u>2/10</u>	\$ <u>27.00</u>	\$ <u>35.00</u>
2 ND PRELIM.....	_____	_____
3 RD PRELIM.....	_____	_____
PUB HEARING. <u>3/24</u>	<u>36.00</u>	<u>35.00</u>
PUB HEARING (CON'T)...	_____	_____
TOTAL	\$ <u><u>63.00</u></u>	\$ <u><u>70.00</u></u>

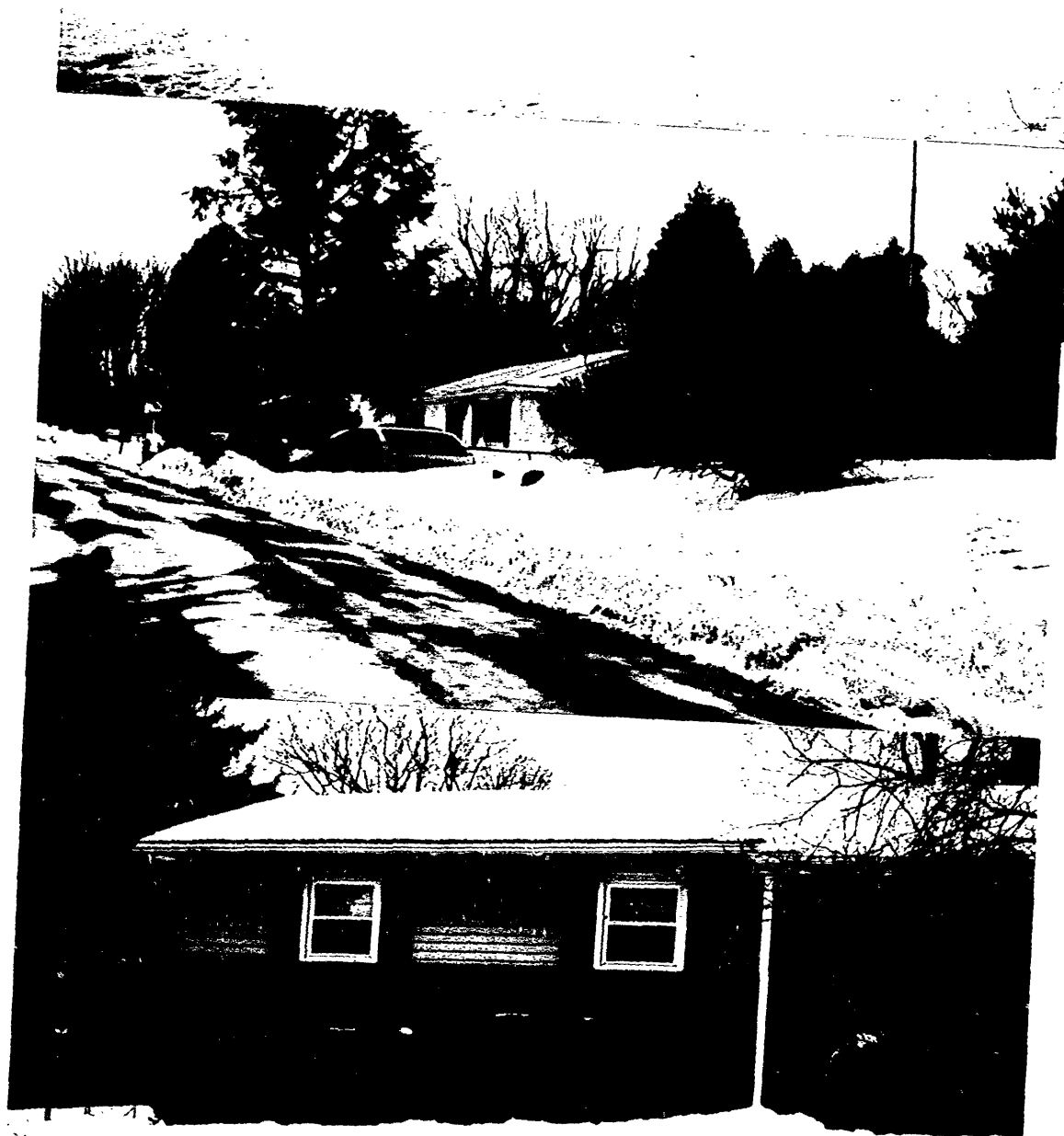
OTHER CHARGES:..... \$ _____

• • • • •

ESCROW POSTED: \$ 300.00

AMOUNT DUE: \$ _____

REFUND DUE: \$ 167.00





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

April 29, 2003

Mr. Francis Whitaker
4 Central Avenue
Newburgh, NY 12550

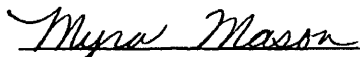
SUBJECT: 15-2-10 (CRUDELE) VARIANCE REQUEST

Dear Mr. Whitaker:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,


Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

-----X
In the Matter of the Application of

ROSE CRUDELE

**MEMORANDUM OF
DECISION GRANTING**

INTERPRETATION

CASE #03-07
-----X

WHEREAS, Rose Crudele, owners of lot on Myrtle Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Interpretation of 48-26; Non-conforming lots of record in same ownership on Myrtle Avenue in an R-4 Zone; and

WHEREAS, a public hearing was held on the March 24th, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Francis Whitaker appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properites;
 - (b) The property appears to be contiguous to other property partially owned by the same owners;
 - (c) Water and sewer service is available to this property;

- (d) The contiguous lots are not presently in the same ownership, one of the lots having been sold;
- (e) During the time that the two lots had a common owner, they were maintained as separate taxable lots and taxes were paid on each lot individually;
- (f) No variances are required in order to permit the construction of a house on the lot sought to be sold;

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The development of the property is not prohibited by Section 48-26 of the Town Code.
2. The properties do not appear ever to have been in the same ownership. Rather, one of the many owners of one contiguous parcel was the sole owner of the second parcel. Because that person did not have sole control over the first parcel, that person could not have owned the properties in common. Therefore, it is determined that development or sale of this property as a separate parcel is not prohibited.

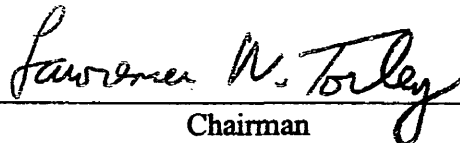
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Interpretation of 48-26; Non-conforming lots of record in same ownership on Myrtle Avenue in an R-4 Zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 23, 2003


Chairman

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT -- DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

ROSE ANNA CRUDELE, CARMELLA CRUDELE-
HILLMAN, JOHN J. CRUDELE, AND
CAROLINE SARVIS

ROSE ANNA CRUDELE

SECTION 15 BLOCK 2 LOT 7

RECORD AND RETURN TO:
(Name and Address)

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

JERALD FIEDELHOLTZ, ESQ.
JERALD FIEDELHOLTZ, P.C.
270 QUASSAICK AVENUE - P.O. BOX 4088
NEW WINDSOR, NEW YORK 12553-0088
#: 20-621/CRUDELE/MM

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

<input type="checkbox"/> 2089 BLOOMING GROVE (TN)	<input type="checkbox"/> 4289 MONTGOMERY (TN)
<input type="checkbox"/> 2001 WASHINGTONVILLE (VLG)	<input type="checkbox"/> 4201 MAYBROOK (VLG)
<input type="checkbox"/> 2289 CHESTER (TN)	<input type="checkbox"/> 4203 MONTGOMERY (VLG)
<input type="checkbox"/> 2201 CHESTER (VLG)	<input type="checkbox"/> 4205 WALDEN (VLG)
<input type="checkbox"/> 2489 CORNWALL (TN)	<input type="checkbox"/> 4489 MOUNT HOPE (TN)
<input type="checkbox"/> 2401 CORNWALL (VLG)	<input type="checkbox"/> 4401 OTISVILLE (VLG)
<input type="checkbox"/> 2600 CRAWFORD (TN)	<input type="checkbox"/> 4600 NEWBURGH (TN)
<input type="checkbox"/> 2800 DEERPARK (TN)	<input checked="" type="checkbox"/> 4800 NEW WINDSOR (TN)
<input type="checkbox"/> 3089 GOSHEN (TN)	<input type="checkbox"/> 5089 TUXEDO (TN)
<input type="checkbox"/> 3001 GOSHEN (VLG)	<input type="checkbox"/> 5001 TUXEDO PARK (VLG)
<input type="checkbox"/> 3003 FLORIDA (VLG)	<input type="checkbox"/> 5200 WALLKILL (TN)
<input type="checkbox"/> 3005 CHESTER (VLG)	<input type="checkbox"/> 5489 WARWICK (TN)
<input type="checkbox"/> 3200 GREENVILLE (TN)	<input type="checkbox"/> 5401 FLORIDA (VLG)
<input type="checkbox"/> 3489 HAMPTONBURGH (TN)	<input type="checkbox"/> 5403 GREENWOOD LAKE (VLG)
<input type="checkbox"/> 3401 MAYBROOK (VLG)	<input type="checkbox"/> 5405 WARWICK (VLG)
<input type="checkbox"/> 3689 HIGHLANDS (TN)	<input type="checkbox"/> 5600 WAWAYANDA (TN)
<input type="checkbox"/> 3601 HIGHLAND FALLS (VLG)	<input type="checkbox"/> 5889 WOODBURY (TN)
<input type="checkbox"/> 3889 MINISINK (TN)	<input type="checkbox"/> 5801 HARRIMAN (VLG)
<input type="checkbox"/> 3801 UNIONVILLE (VLG)	
<input type="checkbox"/> 4089 MONROE (TN)	
<input type="checkbox"/> 4001 MONROE (VLG)	
<input type="checkbox"/> 4003 HARRIMAN (VLG)	
<input type="checkbox"/> 4005 KIRYAS JOEL (VLG)	

CITIES

☐ 0900 MIDDLETOWN
☐ 1100 NEWBURGH
☐ 1300 PORT JERVIS

☐ 9999 HOLD

NO. PAGES 4 CROSS REF ☐

CERT. COPY ☐ ADD'L X-REF ☐

MAP # ☐ PGS. ☐

PAYMENT TYPE: CHECK ☐

CASH ☐

CHARGE ☒

NO FEE ☐

CONSIDERATION \$ ☐

TAX EXEMPT ☐

MORTGAGE AMT \$ ☐

DATE ☐

MORTGAGE TAX TYPE:

- ☐ (A) COMMERCIAL/FULL 1%
- ☐ (B) 1 OR 2 FAMILY
- ☐ (C) UNDER \$10,000
- ☐ (E) EXEMPT
- ☐ (F) 3 TO 6 UNITS
- ☐ (I) NAT. PERSON/CR. UNION
- ☐ (J) NAT.PER-CR.UN/1 OR 2
- ☐ (K) CONDO

Donna L. Benson

DONNA L. BENSON
Orange County Clerk

RECEIVED FROM: JERALD FIEDELHOLTZ, ESQ.

108.01
80 47

6/26/02

LIBER 5917 PAGE 252

ORANGE COUNTY CLERKS OFFICE 42299 NAN
RECORDED/FILED 06/26/2002 08:21:13 AM

FEES 47.00 EDUCATION FUND 5.00
SERIAL NUMBER: 010998
DEED CNTL NO 59564 RE TAX .00

Rat THIS INDENTURE, made on the *3rd* day of *May*, two thousand two

BETWEEN

ROSE ANNA CRUDELE, residing at 78 Myrtle Avenue, New Windsor, New York 12553, CARMELLA CRUDELE-HILLMAN, residing at 42 Chestnut Lane, Newburgh, New York 12550, JOHN J. CRUDELE, residing c/o P.O. Box 5318, Kailua, Kona, Hawaii 96745, and CAROLINE SARVIS, residing at 13 Hill Street, Newburgh, New York 12550

party of the first part, and

ROSE ANNA CRUDELE, residing at 78 Myrtle Avenue, New Windsor, New York 12553
Survivorship

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND NO/100 (\$10.00) dollars, lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that piece or parcel of land together with the buildings and improvements located and to be erected thereon, situate, lying and being in the Town of New Windsor, in the County of Orange and State of New York, designated as Lot Nos. 48 and 93 on a map of lands of Clancy Terrace, bounded and described as follows:

BEING a lot of land twenty-five (25) feet frontage and rear, two hundred sixteen (216) feet, more or less in depth. One lot being directly in the rear of the other.

BEING the same premises conveyed by James Crudele to Rose Anna Crudele, Carmella Crudele-Hillman, Margaret C. Crudele, John J. Crudele, and Caroline Sarvis, Grantee, by Deed dated November 10, 1994 and recorded in the Orange County Clerk's Office in Liber 4145 of Deeds at page 142.

AND ALSO ALL that certain lot, piece or parcel of land together with the buildings and improvements located and to be erected thereon, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, designated as Lot Nos. 47 and 94 on a map or plan of Clancy Terrace, bounded and described as follows:

BEGINNING at a point in the southerly side of Cherry Avenue, 300 feet westerly from the southwest corner of Cherry Avenue and Bradford Avenues and running thence westerly and parallel along Cherry Avenue 25 feet; thence southerly and at right angles with Cherry Avenue 216.54 feet to the northerly side of Myrtle Avenue; thence easterly along Myrtle Avenue parallel with Cherry Avenue 25 feet; thence northerly 216.54 feet to the place or point of beginning. Being a lot 25 feet front and rear and 216.54 feet in depth.

BEING the same premises conveyed by James Crudele and Elvira M. Crudele, Grantor, to Rose Anna Crudele, Carmella Crudele-Hillman, Margaret C. Crudele, John J. Crudele, and Caroline Sarvis, Grantee, by Deed dated November 10, 1994 and recorded in the Orange County Clerk's Office in Liber 4145 of Deeds at page 146.

JAMES CRUDELE died a resident of Orange County on the 4th day of February, 1997.

MARGARET C. CRUDELE died a resident of Orange County on the 29th day of September, 1996.

BEING the same premises conveyed by Elvira M. Crudele to Rose Anna Crudele, Carmella Crudele-Hillman, John J. Crudele, and Caroline Sarvis by Correction Deed dated August 15, 1997 and recorded in the Orange County Clerk's Office in Liber 4667 of Deeds at page 303.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of improvements before using any part of the total of the same for any other purpose.

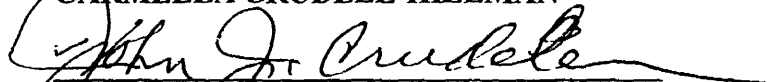
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


ROSE ANNA CRUDELE


CARMELLA CRUDELE-HILLMAN


JOHN J. CRUDELE


CAROLINE SARVIS

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York)
: ss
County of Orange)

On this 31st day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared ROSE ANNA CRUDELE personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JERALD FIEDELHOLTZ
Notary Public, State of New York
Residing in Orange County
No. 1206885
Commission Expires May 31, 2003

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York)
: ss
County of Orange)

On this 16th day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared CAROLINE SARVIS personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JERALD FIEDELHOLTZ
Notary Public, State of New York
Residing in Orange County
No. 1206885
Commission Expires May 31, 2002

Bargain and Sale Deed

WITH COVENANTS AGAINST GRANTOR'S ACTS

Title No.

ROSE ANNA CRUDELE, CARMELLA
CRUDELE-HILLMAN, JOHN J.
CRUDELE, and CAROLINE SARVIS

TO

ROSE ANNA CRUDELE

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York)
: ss
County of Orange)

On this 16th day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared CARMELLA CRUDELE-HILLMAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JERALD FIEDELHOLTZ
Notary Public, State of New York
Residing in Orange County
No. 1206885
Commission Expires May 31, 2003

ACKNOWLEDGMENT OUTSIDE OF NEW YORK STATE (RPL 309-b)

State of Hawaii)
: ss
County of Hawaii)

On this 23rd day of May, 2002, before me, the undersigned, personally appeared JOHN J. CRUDELE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument and that such individual made such appearance before the undersigned in Kailua-Kona, HI 96740
(insert city or political subdivision and state or county or other place acknowledgment taken)

Ofeliah Schamber
NOTARY PUBLIC

OVELIA L. SCHAMBER
Notary Public
State of Hawaii
Commission Expires: Nov 19, 2004

SECTION 15
BLOCK 2
LOT 7
COUNTY OR TOWN New Windsor, Orange County

RECORD AND RETURN BY MAIL TO:

JERALD FIEDELHOLTZ, ESQ.
LAW OFFICES OF JERALD FIEDELHOLTZ, P.C.
POST OFFICE BOX 4088
NEW WINDSOR, NEW YORK 12553

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

255

LIBER 5917 PAGE ~~254~~

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

ELVIRA M. CRUDELE

TO
ROSE ANNA CRUDELE, CARMELLA CRUDELE-HILLMAN,
JOHN J. CRUDELE AND CAROLINE SARVIS

15 - 2 - 7
SECTION 15 BLOCK 2 LOT 10

RECORD AND RETURN TO:
(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

The Ettinger Law Firm, P.C.
300 Westage Business Center, Suite 400
Fishkill, New York 12524

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

___ 2089 BLOOMING GROVE (TN)	___ 4289 MONTGOMERY (TN)
___ 2001 WASHINGTONVILLE (VLG)	___ 4201 MAYBROOK (VLG)
___ 2289 CHESTER (TN)	___ 4203 MONTGOMERY (VLG)
___ 2201 CHESTER (VLG)	___ 4205 WALDEN (VLG)
___ 2489 CORNWALL (TN)	___ 4489 MOUNT HOPE (TN)
___ 2401 CORNWALL (VLG)	___ 4401 OTISVILLE (VLG)
___ 2800 CRAWFORD (TN)	___ 4600 NEWBURGH (TN)
___ 2800 DEERPARK (TN)	<input checked="" type="checkbox"/> 4800 NEW WINDSOR (TN)
___ 3089 GOSHEN (TN)	___ 5089 TUXEDO (TN)
___ 3001 GOSHEN (VLG)	___ 5001 TUXEDO PARK (VLG)
___ 3003 FLORIDA (VLG)	___ 5200 WALLKILL (TN)
___ 3005 CHESTER (VLG)	___ 5489 WARWICK (TN)
___ 3200 GREENVILLE (TN)	___ 5401 FLORIDA (VLG)
___ 3489 HAMPTONBURGH (TN)	___ 5403 GREENWOOD LAKE (VLG)
___ 3401 MAYBROOK (VLG)	___ 5405 WARWICK (VLG)
___ 3689 HIGHLANDS (TN)	___ 5600 WAWAYANDA (TN)
___ 3601 HIGHLAND FALLS (VLG)	___ 5889 WOODBURY (TN)
___ 3889 MINISINK (TN)	___ 5801 HARRIMAN (VLG)
___ 3801 UNIONVILLE (VLG)	
___ 4089 MONROE (TN)	
___ 4001 MONROE (VLG)	
___ 4003 HARRIMAN (VLG)	
___ 4005 KIRYAS JOEL (VLG)	

CITIES

___ 0900 MIDDLETOWN
___ 1100 NEWBURGH
___ 1300 PORT JERVIS

___ 9999 HOLD

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PAYMENT TYPE: CHECK
CASH
CHARGE
NO FEE

CONSIDERATION \$ 0
TAX EXEMPT

MORTGAGE AMT \$
DATE

MORTGAGE TYPE:

___ (A) COMMERCIAL
___ (B) 1 OR 2 FAMILY
___ (C) UNDER \$10,000.
___ (E) EXEMPT
___ (F) 3 TO 6 UNITS
___ (I) NAT.PERSON/CR.UNION
___ (J) NAT.PER-CR.UN/I OR 2
___ (K) CONDO

Joan A. Macchi

JOAN A. MACCHI
Orange County Clerk

RECEIVED FROM: Ettinger Law Firm

LIBR 4667PG 302

~~500480264 #1/2~~

Pa 105 #7

11/19/97

LIBER 4667 PAGE 302
ORANGE COUNTY CLERKS OFFICE 58731 OAP
RECORDED/FILED 11/19/97 03:31:38 PM
FEES 44.00 EDUCATION FUND 5.00
SERIAL NUMBER: 003158
DEED CNTL NO 62784 RE TAX .00

DEED

Consult your lawyer before signing this instrument. This instrument should be used by lawyers only.

THIS INDENTURE, made the 15th day of August, nineteen hundred and ninety-seven,

BETWEEN

Elvira M. Crudele, residing at 90 Myrtle Avenue, New Windsor, New York 12553,

party of the first part,

and

Rose Anna Crudele, residing at 78 Myrtle Avenue, New Windsor, New York 12553, Carmella Crudele-Hillman, residing at 42 Chestnut Lane, Newburgh, New York 12550, John J. Crudele, residing at 78-6772A Makenawai Street, Kailua, Kona, Hawaii 96740, and Caroline Sarvis, residing at 9 Hill Street, Newburgh, New York 12550,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and no/100 (\$10.00), lawful money of the United States, to him paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs, successors or assigns of the party of the second part forever,

ALL that certain lot, piece or parcel of land together with the buildings and improvements located and to be erected thereon, situate, lying and being in the Town of New Windsor, in the County of Orange and State of New York, designated as Lot Nos. 48 and 93 on a map of lands of Clancy Terrace, bounded and described as follows:

BEING a lot of land twenty-five (25) feet frontage and rear, two hundred sixteen (216) feet, more or less in depth. One lot being directly in the rear of the other.

THE GRANTOR herein, by executing this Deed, relinquishes the life estate granted to her in the above described premises by Deed dated November 10, 1994 and recorded in the Orange County Clerk's Office in Liber 4145 of Deeds at page 142.

BEING the same premises conveyed by James Crudele, Grantor, to Rose Anna Crudele, Carmella Crudele-Hillman, Margaret C. Crudele, John J. Crudele, and Caroline Sarvis, Grantee, by Deed dated November 10, 1994 and recorded in the Orange County Clerk's Office in Liber 4145 of Deeds at page 142.

MARGARET C. CRUDELE died a resident of Orange County on the 29th day of September, 1996.

AND ALSO ALL that certain lot, piece or parcel of land together with the buildings and improvements located and to be erected thereon, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, designated as Lot Nos. 47 and 94 on a map or plan of Clancy Terrace, bounded and described as follows:

BEGINNING at a point in the southerly side of Cherry Avenue, 300 feet westerly from the southwest corner of Cherry Avenue and Bradford Avenues and running thence westerly and parallel along Cherry Avenue 25 feet; thence southerly and at right angles with Cherry Avenue 216.54 feet to the northerly side of Myrtle Avenue; thence easterly along Myrtle Avenue parallel with Cherry Avenue 25 feet; thence northerly 216.54 feet to the place or point of beginning. Being a lot 25 feet front and rear and 216.54 feet in depth.

THE GRANTOR herein, by executing this Deed, relinquishes the life estate granted to her in the above described premises by Deed dated November 10, 1994 and recorded in the Orange County Clerk's Office in Liber 4145 of Deeds at page 146.

LIBER 4667PG 303

BEING the same premises conveyed by James Crudele and Elvira M. Crudele, Grantor, to Rose Anna Crudele, Carmella Crudele-Hillman, Margaret C. Crudele, John J. Crudele, and Caroline Sarvis, Grantee, by Deed dated November 10, 1994 and recorded in the Orange County Clerk's Office in Liber 4145 of Deeds at page 146.

JAMES CRUDELE died a resident of Orange County on the 4th day of February, 1997.

MARGARET C. CRUDELE died a resident of Orange County on the 29th day of September, 1996.

BEING A CORRECTION DEED for Deed dated January 31, 1997 between the parties hereto and filed in the Orange County Clerk's Office in Liber 4572 of Deeds at page 95.

SUBJECT to covenants, conditions, restrictions and rights of way of record, if any.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.



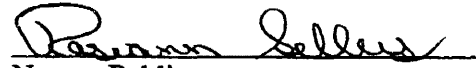
Elvira M. Crudele

LIBER 4667 PG 304

The Ettinger Law Firm, P.C. - 125 Wolf Road, Albany, NY 12205 - 300 Westage Business Center, Fishkill, NY 12524

STATE OF NEW YORK)
) ss:
COUNTY OF ORANGE)

On this 16th day of August, 1997, before me appeared Elvira M. Crudele, to me known, who, being by me duly sworn, did depose and say that she executed the foregoing instrument.


Notary Public

ROSEANN SELLERS
Notary Public, State of New York
Reg. No. 01SE5063444
Qualified in Ulster County
Commission Expires July 22, 1998

Record and return by mail to:

THE ETTINGER LAW FIRM, P.C.
Practice Limited to Trusts, Estates and Elder Law
300 Westage Business Center, Suite 400
Fishkill, NY 12524
(914) 897-4700

EXHIBIT 4667PG 305

(7)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

PRINT OR TYPE: BLACK INK ONLY

JAMES CRUDELE
ELVIRA M CRUDELE

TO

ROSE ANNA CRUDELE, CARMELLA CRUDELE-
HILLMAN, MARGARET C CRUDELE, JOHN J.
CRUDELE & CAROLINE SARVIS

SECTION 15 BLOCK 2 LOT 7

RECORD AND RETURN TO:
(Name and Address)

JERALD FIDELHOLTZ PC
270 QUASSAICK AVENUE
PO BOX 4088
NEW WINDSOR NY 12553

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY.

DO NOT WRITE BELOW THIS LINE

CONTROL NO. _____ DATE 11-10-94 AFFIDAVIT FILED _____ 19 _____

INSTRUMENT TYPE: DEED ☒ MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

BG20 Blooming Grove _____
CH22 Chester _____
CO24 Cornwall _____
CR26 Crawford _____
DP28 Deerpark _____
GO30 Goshen _____
GR32 Greenville _____
HA34 Hamplonburgh _____
HI36 Highlands _____
MK38 Minisink _____
ME40 Monroe _____
MY42 Montgomery _____
MH44 Mount Hope _____
NT46 Newburgh (T) _____
NW48 New Windsor ☒
TU50 Tuxedo _____
WL52 Wallkill _____
WK54 Warwick _____
WA56 Wawayanda _____
WO58 Woodbury _____
MN09 Middletown _____
NC11 Newburgh _____
PJ13 Port Jervis _____
9999 Hold _____

SERIAL NO. _____

Mortgage Amount \$ _____ CHECK _____ CASH _____ CHARGE ☒

Exempt Yes _____ No _____

MORTGAGE TAX \$ _____

3-6 Cooking Units Yes _____ No _____

TRANSFER TAX \$ _____

Received Tax on above Mortgage

Basic \$ _____

ED. FUND \$ 5.00

MTA \$ _____

RECORD. FEE \$ _____

Spec. Add. \$ _____

REPORT FORMS \$ _____

TOTAL \$ _____

CERT. COPIES \$ _____

JOAN A. MACCRI
Orange County Clerk

by: _____

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on DEC 1 1994

at 12:30 O'Clock P M.

In Liber/Film 4445 Deed

at page 146 and examined.

Joan A. MacCrik
County Clerk

RECEIVED

\$ _____
REAL ESTATE

TRANSFER TAX
ORANGE COUNTY

11145 PAGE 146

Dec 1 1994

ORANGE COUNTY CLERK'S OFFICE 55246 CP1
RECORDED/FILED 12/01/94 12:30:48 PH

FEES 44.00 EDUCATION FUND 5.00

SERIAL NUMBER: 003449

DEED CNTL NO 63875 RE TAX

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 10th day of NOVEMBER, nineteen hundred andBETWEEN JAMES CRUDELE and ELVIRA M. CRUDELE, husband and wife,
who reside at 90 Myrtle Avenue, New Windsor, New York 12553

party of the first part, and ROSE ANNA CRUDELE, residing at 78 Myrtle Avenue,
New Windsor, New York 12553 and,
CARMELLA CRUDELE-HILLMAN, residing at 42 Chestnut Lane,
Newburgh, New York 12550 and,
MARGARET C. CRUDELE, residing at 74-5204 Kihawahine Place,
Kailua, Kona, Hawaii 96740
JOHN J. CRUDELE, residing at 78-6772A Makenawai Street,
Kailua, Kona, Hawaii 96740
CAROLINE SARVIS, residing at 9 Hill Street, Stewart Heights,
Newburgh, New York 12550

party of the second part, as joint tenants with right of survivorship

WITNESSETH, that the party of the first part, in consideration of

dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

lying and being in the Town of New Windsor, County of Orange and State of New York,
designated at Lot Nos. 47 and 94 on a map or plan of Clancy Terrace, bounded
and described as follows:

BEGINNING at a point in the southerly side of Cherry Avenue, three hundred
feet (300 feet) westerly from the southwest corner of Cherry and Bradford Avenues
and running thence westerly and parallel along Cherry Avenue twenty-five feet
(25 feet); thence southerly and at right angles with Cherry Avenue two hundred
sixteen and fifty-four hundredths feet (216.54 feet) to the northerly side of
Myrtle Avenue; thence easterly along Myrtle Avenue parallel with Cherry Avenue
twenty-five feet (25 feet); thence northerly two hundred sixteen and fifty-four
hundredths feet (216.54 feet) to the place or point of beginning. Being a lot
twenty-five feet front and rear by two hundred sixteen and fifty-four hundredths
(216.54 feet) in depth.

BEING the same premises conveyed by John J. Clancy to James Crudele and
Elvira Crudele, husband and wife, by Deed dated June 24, 1932, and recorded in
the Orange County Clerk's Office in Liber 733 of Deeds at page 112 on September
29, 1932.

Grantor, by this Deed, hereby conveys fee interest in the premises to the
Grantees, reserving, however, to themselves, a life estate in the subject
premises, together with the right of any and all tax benefits which are or
may be associated with ownership of fee interest, and Grantor agrees to pay
all real estate taxes and assessments levied against the premises and keep
the subject premises insured against loss by fire, and the Grantees hereby
execute this Deed in conjunction with the Grantor, verifying his consent to
same.

Northern 1/2 of
for lot 7

1004145 147

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed so if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

James Crudele
JAMES CRUDELE

Elvira M. Crudele
ELVIRA M. CRUDELE

STATE OF NEW YORK, COUNTY OF ORANGE

On the 10 day of November 1974, before me personally came JAMES CRUDELE and ELVIRA M. CRUDELE

to me known to be the individual s described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Joyce A. Turner
JOYCE A. TURNER
Notary Public, State of New York
Qualified in Orange County
No. 4903614
Commission Expires August 24, 1985

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Mortgage and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS
TITLE No.

JAMES and ELVIRA CRUDELE

TO
ROSE ANNA CRUDELE, CARMELLA CRUDELE-HILLMAN,
MARGARET C. CRUDELE, JOHN J. CRUDELE and
CAROLINE SARVIS

SECTION 15
BLOCK 2
LOT 7
COUNTY OR TOWN ORANGE

RETURN BY MAIL TO:

Jerald Fiedelholz, P.C.
270 Quassaick Avenue
P.O. Box 4088
New Windsor, NY Zip No. 12553

Reserve this space for use of Recording Office.

1011145 PAGE 149

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

Rose Anna Crudele, Carmella Crudele-Hillman,
John J. Crudele, Caroline Sarno

SECTION 15 BLOCK 2 LOT 10

TO

Rose Anna Crudele, Carmella Crudele-Hillman,
John J. Crudele, Caroline Sarno

RECORD AND RETURN TO:
(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SLIP TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

Rose Anna Crudele
1111 1st St
New Canaan, NY 10822

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

<input type="checkbox"/> 2089 BLOOMING GROVE (TN)	<input type="checkbox"/> 4289 MONTGOMERY (TN)
<input type="checkbox"/> 2001 WASHINGTONVILLE (VLG)	<input type="checkbox"/> 4201 MAYBROOK (VLG)
<input type="checkbox"/> 2289 CHESTER (TN)	<input type="checkbox"/> 4203 MONTGOMERY (VLG)
<input type="checkbox"/> 2201 CHESTER (VLG)	<input type="checkbox"/> 4205 WALDEN (VLG)
<input type="checkbox"/> 2489 CORNWALL (TN)	<input type="checkbox"/> 4489 MOUNT HOPE (TN)
<input type="checkbox"/> 2401 CORNWALL (VLG)	<input type="checkbox"/> 4401 OTISVILLE (VLG)
<input type="checkbox"/> 2600 CRAWFORD (TN)	<input type="checkbox"/> 4600 NEWBURGH (TN)
<input type="checkbox"/> 2800 DEERPARK (TN)	<input checked="" type="checkbox"/> 4800 NEW WINDSOR (TN)
<input type="checkbox"/> 3089 GOSHEN (TN)	<input type="checkbox"/> 5089 TUXEDO (TN)
<input type="checkbox"/> 3001 GOSHEN (VLG)	<input type="checkbox"/> 5001 TUXEDO PARK (VLG)
<input type="checkbox"/> 3003 FLORIDA (VLG)	<input type="checkbox"/> 5200 WALLKILL (TN)
<input type="checkbox"/> 3005 CHESTER (VLG)	<input type="checkbox"/> 5489 WARWICK (TN)
<input type="checkbox"/> 3200 GREENVILLE (TN)	<input type="checkbox"/> 5401 FLORIDA (VLG)
<input type="checkbox"/> 3489 HAMPTONBURGH (TN)	<input type="checkbox"/> 5403 GREENWOOD LAKE (VLG)
<input type="checkbox"/> 3401 MAYBROOK (VLG)	<input type="checkbox"/> 5405 WARWICK (VLG)
<input type="checkbox"/> 3689 HIGHLANDS (TN)	<input type="checkbox"/> 5600 WAWAYANDA (TN)
<input type="checkbox"/> 3601 HIGHLAND FALLS (VLG)	<input type="checkbox"/> 5889 WOODBURY (TN)
<input type="checkbox"/> 3889 MINISINK (TN)	<input type="checkbox"/> 5801 HARRIMAN (VLG)
<input type="checkbox"/> 3801 UNIONVILLE (VLG)	
<input type="checkbox"/> 4089 MONROE (TN)	
<input type="checkbox"/> 4001 MONROE (VLG)	
<input type="checkbox"/> 4003 HARRIMAN (VLG)	
<input type="checkbox"/> 4005 KIRYAS JOEL (VLG)	

CITIES

☐ 0900 MIDDLETOWN
☐ 1100 NEWBURGH
☐ 1300 PORT JERVIS

NO. PAGES 6 CROSS REF ☐
CERT. COPY ☐ AFFT. ☐

PAYMENT TYPE: CHECK ☒
CASH ☐
CHARGE ☐
NO FEE ☐

CONSIDERATION \$ 0
TAX EXEMPT ☐

MORTGAGE AMT \$ ☐
DATE ☐

MORTGAGE TYPE:
☐ (A) COMMERCIAL
☐ (B) 1 OR 2 FAMILY
☐ (C) UNDER \$10,000.
☐ (E) EXEMPT
☐ (F) 3 TO 6 UNITS
☐ (I) NAT.PERSON/CR.UNION
☐ (J) NAT.PER-CR.UNI OR 2
☐ (K) CONDO

Donna L. Benson

DONNA L. BENSON
Orange County Clerk

RECEIVED FROM:

Ellenberger Law Firm

LIBER 5072 PAGE 241

ORANGE COUNTY CLERKS OFFICE 31471 DAB
RECORDED/FILED 06/03/1999 03:09:00 PM

FEE\$ 53.00 EDUCATION FUND 5.00
SERIAL NUMBER: 009139
DEED CNIL NO 57661 RF TAX

DEED

Consult your lawyer before signing this instrument. This instrument should be used by lawyers only.

THIS INDENTURE, made the 14th day of March, nineteen hundred and ninety-nine,

BETWEEN

Rose Anna Crudele, 78 Myrtle Avenue, New Windsor, New York 12553, Carmella Crudele-Hillman, 42 Chestnut Lane, Newburgh, New York 12550, John J. Crudele, PO Box 5318, Kailua, Kona, Hawaii 96745, and Caroline Sarvis, 13 Hill Street, Newburgh, New York 12550,

party of the first part.

and

Rose Anna Crudele, 78 Myrtle Avenue, New Windsor, New York 12553, Carmella Crudele-Hillman, 42 Chestnut Lane, Newburgh, New York 12550, John J. Crudele, PO Box 5318, Kailua, Kona, Hawaii 96745, and Caroline Sarvis, 13 Hill Street, Newburgh, New York 12550, as tenants in common,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and no/100 (\$10.00), lawful money of the United States, to them paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs, successors or assigns of the party of the second part forever,

ALL that certain lot, piece or parcel of land together with the buildings and improvements located and to be erected thereon, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

See Schedule A annexed.

EXCEPTING AND RESERVING any property previously conveyed.

EXCEPTING AND RESERVING a life estate in Elvira M. Crudele of the use and enjoyment of the aforesaid premises for the balance of her natural life.

BEING the same premises conveyed by James Crudele and Elvira Crudele, Grantor, to Rose Anna Crudele, Carmella Crudele-Hillman, John J. Crudele and Caroline Sarvis, Grantee, by Deed dated January 31, 1997 and recorded in the Orange County Clerk's Office on May 21, 1997 in Liber 4572 of Deeds at page 95.

SUBJECT to covenants, conditions, restrictions and rights of way of record, if any.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

The Eltinger Law Firm, P.A. - 125 Wolf Road, Albany, NY 12205 • 300 Westage Center, Binghamton, NY 12304 • 660 White Plains Road, Tarrytown, NY 10591

LIBER 5072 PG 243

LIBER 5072 PAGE 241

**ORANGE COUNTY CLERKS OFFICE 31471 DAB
RECORDED/FILED 06/03/1999 03:09:00 PM**

FEES 53.00 EDUCATION FUND 5.00

SERIAL NUMBER: 009139

DEED CNIL NO 57661 RE TAX

SCHEDULE "A"

BEGINNING at the corner formed by the intersection of the northwest side of Myrtle Avenue and the northeast side of Foley Avenue, and runs thence northeasterly along the northwesterly side of Myrtle Avenue five hundred fifty-five (550) feet; thence northwesterly at right angles to Myrtle Avenue one hundred twenty-six and fifty-four one hundredths (126.54) feet; thence southwesterly parallel with Myrtle Avenue one hundred ninety-four (194) feet; thence southeasterly at right angles to Myrtle Avenue forty-six and fifty-four one-hundredths (46.54) feet; thence southwesterly parallel with Myrtle Avenue three hundred fifty-six (356) feet to the northeasterly side of aforesaid Foley Avenue; thence southeasterly along the same eighty (80) feet to the place of beginning. Being lots 86 to 92 inclusive and parts of Lots 49 to 56 inclusive and parts of lots 71 to 86 inclusive on a map of "Clancy Terrace, being a part of property owned by J.J. Clancy, New Windsor, New York, November 13th, 1915." made by H.L. Sterling, Civil Engineer, Newburgh, New York.

SUBJECT, however, to the right of the Little Falls Paper Company, Inc., its successors and assigns, to keep and maintain a dam adjoining or near said premises, and to back up water to any height or level said company may desire, without any claim accruing to James A. Weygant, his heirs or assigns, for any damage caused by such water seeping through the ground or otherwise.

THE following land is excepted from the above description, same having been conveyed to Theresa Di Chiaro under date of March 25, 1933 and recorded in Liber 737 of Deeds at page 592.

ALL that certain lot, piece or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northwest side of Myrtle Avenue and the northeast side of Foley Avenue as laid down on the map hereinafter referred to, and runs thence northeasterly along the northwest side of Myrtle Avenue for seventy-five (75) feet to the boundary line between Nos. 73 and 74 as laid down on said Map; thence running northwesterly along the boundary line between said two lots for eighty (80) feet; thence running southwesterly parallel with Myrtle Avenue for seventy-five (75) feet to the said northeast side of Foley Avenue; and thence running southeasterly along the said northeast side of Foley Avenue for eighty (80) feet more or less to the point or place of beginning. The lands herein intended to be conveyed being part of Lot Nos. 71, 72 and 73 as laid down on a Map of "Clancy Terrace, etc." which is filed in the Office of the Clerk of the County of Orange.

LIBER 5072 PG 243

LIBER 5072 PAGE 241

ORANGE COUNTY CLERKS OFFICE 31471 DAB
RECORDED/FILED 06/03/1999 03:09:00 PM

FEES 53.00 EDUCATION FUND 5.00

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

ON THIS 14TH DAY
OF MARCH 1999
BEFORE ME APPEARED
CARMELLA C. HILLMAN

FRANK L. BOAZERAVA
NOTARY PUBLIC STATE OF N.Y.
COUNTY OF ORANGE
COMMISSION EXP. MARCH 20, 2000

Rose Anna Crudele

Carmella Crudele-Hillman

Frank L. Scarzava
FRANK L. SCARZAVA
NOTARY PUBLIC STATE OF N.Y.
COUNTY OF ORANGE
COMMISSION EXP. MARCH 30, 2000

John J. Crudele
John J. Crudele

Caroline Sarvis
Caroline Sarvis

The Etinger Law Firm, P.C. - 125 Wolf Road, Albany, NY 12205 • 300 Westage Center, Fishkill, NY 12524 • 660 White Plains Road, Tarrytown, NY 10591

LIBER 50720 244

Deed

BARGAIN AND SALE

Jerome A. Simon as Commissioner
of Public Welfare of the Orange
County Public Welfare District

TO

James Crudele and Elvira M.
Crudele

Dated, *October 23, 1950*

STATE OF NEW YORK

County of *Orange* ss.

RECORDED ON THE
15 day of *December* A.D. 1950
at *9* o'clock *A.M.*
in LIBER *1182* of DEEDS
at PAGE *431* and examined

W. E. Greenberry CLERK
Read, Change & Return to
WILLIAM PRUSLIN
Quaspeck Ave., New Windsor
N. D. 24, Newburgh, N. Y.

1.80

State of New York
County of Orange
ss.

ss.

433

On this *23rd* day of October Nineteen Hundred and
fifty before me, the subscriber, personally appeared
Jerome A. Simon

to me personally known and known to me to be the same person described
in and who executed the within Instrument, and he duly
acknowledged to me that he executed the same as Commissioner of Public
Welfare of the Orange County Public Welfare District.

John F. Simon
JOHN F. SIMON
NOTARY PUBLIC IN THE STATE OF NEW YORK
RESIDING IN ORANGE COUNTY - DISTRICT NO. 1
BY COMMISSION EXPIRES APRIL 24, 1957

This Indenture,

Made the *23rd* day of *October* Nineteen Hundred and fifty.

Between Jerome A. Simon as Commissioner of Public Welfare of the Orange County Public Welfare District having his principal place of business at No. 124 Main Street, in the Village of Goshen, Orange County, New York,

husband and wife, *part y of the first part, and*
James Crudele and Elvira M. Crudele, who reside at 78 Myrtle Avenue, Newburgh, N. Y. (M.D. 23),

parties of the second part,

~~Witnesseth~~, that the party of the first part, in consideration of

Fifteen hundred - - - - - Dollars

(\$ 1500.00) lawful money of the United States,

paid by the parties of the second part,

do es hereby grant and release unto the parties of the second part,

their heirs and assigns forever, all those certain lots of land

situate, lying and being in the Town of New Windsor, bounded and described as follows: Beginning at the corner formed by the intersection of the northwest side of Myrtle Avenue and the northeast side of Foley Avenue, and runs thence northeasterly along the northwesterly side of Myrtle Avenue five hundred fifty feet (550 feet); thence northwesterly at right angles to Myrtle Avenue one hundred twenty-six and fifty-four one-hundredths feet (126.54 feet); thence southwesterly parallel with Myrtle Avenue one hundred ninety-four feet (194 feet); thence southeasterly at right angles to Myrtle Avenue forty-six and fifty-four one-hundredths feet (46.54 feet); thence southwesterly parallel with Myrtle Avenue three hundred fifty-six feet (356 feet) to the northeasterly side of aforesaid Foley Avenue; thence southeasterly along the same eighty feet (80 feet) to the place of beginning. Being Lots 86 to 92 inclusive and parts of Lots 49 to 56 inclusive, and parts of Lots 71 to 86 inclusive on a map of "Clancy Terrace, being a part of property owned by J. J. Clancy, New Windsor, New York, November 13th, 1915", made by H. L. Sterling, Civil Engineer, Newburgh, New York.

Subject, however, to the right of the Little Falls Paper Company, Inc., its successors or assigns, to keep and maintain a dam adjoining or near said premises, and to back up water to any height or level said company may desire, without any claim accruing to James A. Weygant, his heirs or assigns, for any damage caused by such water seeping through the ground or otherwise.

The following land is excepted from the above description, same having been conveyed to Theresa Di Chiaro under date of March 25, 1933 and recorded in Liber of Deeds 737 at page 592.

All that certain lot, piece or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York, bounded and described as follows: Beginning at the corner formed by the intersection of the northwest side of Myrtle Avenue and the northeast side of Foley Avenue as laid down on the map hereinafter referred to, and runs thence northeasterly along the northwest side of Myrtle Avenue for seventy-five feet to the boundary line between Nos. 73 and 74 as laid down on said Map; thence running northwesterly along the boundary line between said two lots for eighty (80) feet; thence running southwesterly parallel with Myrtle Avenue for seventy-five (75) feet to the said northeast side of Foley Avenue; and thence running southeasterly along the said northeast side of Foley Avenue for eighty (80) feet more or less to the point or place of beginning. The lands herein intended to be conveyed being a part of Lots Nos. 71, 72 and 73 as laid down on a map of "Clancy Terrace, etc." which is filed in the Office of the Clerk of the County of Orange.

The first description being the same premises conveyed by the Little Falls Paper Company, Inc. to James Weygant under date of May 14, 1926, and recorded in the Orange County Clerk's Office in Liber of Deeds 664, at page 455, on May 22, 1926.

Being the same premises conveyed by the said James A. Weygant to Jerome A. Simon as Commissioner of Public Welfare of the County of Orange by deed dated July 23, 1948, and recorded in the Orange County Clerk's Office in Liber 1092 of Deeds, at page 406.

Subject to the lien of a mortgage made by James Weygant to W. F. Durland as Commissioner of Public Welfare of the County of Orange to secure \$1500.00, dated January 5, 1938, and recorded in the County Clerk's Office of Orange County in Liber 706 of Mortgages, at page 291, which said mortgage is this day by separate instrument assigned by the party of the first part hereto to the party of the second part.

**TOWN OF NEW WINDSOR
ENGINEER, PLANNING BOARD
AND ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: APRIL 25, 2003
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 167.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-07

NAME: ROSE A. CRUDELE

ADDRESS: 90 MYRTLE AVENUE

NEW WINDSOR, NY 12553

THANK YOU,

MYRA

*4/25/03
L.R.*

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 01-30-03

FOR: #03-07

FROM: ROSE A. CRUDELE


90 MYRTLE AVENUE

NEW WINDSOR, NY 12553

CHECK NUMBER: 131

AMOUNT: \$300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

1-31-03

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

PUBLIC HEARINGS:

FRANCIS WHITAKER (FOR ROSE CRUDELE) #03-07

Mr. Francis Witaker appeared before the board for this proposal.

MR. TORLEY: Request for a residential building lot adjoining land in the same ownership, which is nonconforming as to bulk regulations, Section 48-26 on Myrtle Avenue in an R-4 zone. Is there anyone in the audience who wishes to speak on this matter? Let the record show there is none. Sir?

MR. WHITAKER: Hi. How you doing? I got the deeds, I went out and researched further back and it was very funny but Mr. Crudele after he bought this property he never changed his original deed. His original deed called for the property that's outlined almost all the way down to Foley Avenue, I think it was 75 feet from Foley Avenue but he sold off different pieces of it but he never changed it. Now about a year and a half ago, Mr. Fiedelholz called me and asked me if I can write a deed based on a tax map and I told him no, I had to see it so anyway I went down there and it was all the old lots in Ducktown and I says yes and I wrote him up a deed for I think it was lot 10 and lot 11.1 which had a house on it. Lot 11.1 what happened was this was all owned by Mr. Crudele, he died in 1997, his wife died in 2002 and then it was deeded over to the kids but they had or to his sons, his daughters and his son.

MR. KRIEGER: Mr. Crudele would be James?

MR. WHITAKER: Yes.

MR. KRIEGER: Wife would be Elvira?

MR. WHITAKER: That's right.

MR. KANE: So the property in total passed to Elvira?

MR. WHITAKER: I think it passed to all of them, in other words, he had everybody's name on it, his daughter I notice in some previous deeds his daughter,

Margaret, was included and she died before James did, before her father did, so these daughters and sons they had really no say over this property until Elvira died which was 2002 and now they just want to get rid of these properties. In fact, they already sold 11.1 but they're trying to sell this one.

MR. TORLEY: You had two properties?

MR. WHITAKER: Yes.

MR. TORLEY: 10 and 11.1?

MR. WHITAKER: Yes.

MR. TORLEY: And they've sold 11.1?

MR. WHITAKER: Yes.

MR. TORLEY: That deal has gone through?

MR. WHITAKER: Yes, it has.

MR. KANE: They don't own it anymore then he doesn't need to be here.

MR. TORLEY: Question is whether or not they're allowed to sell it that way.

MR. WHITAKER: The strange thing of this is that--

MR. KANE: On both sets, on 10 and 11.1, are those two different taxables?

MR. WHITAKER: Yes, they were and they go back quite a ways, I was starting to look out there in Goshen and I noticed the map and old map that I had picked up was dated 1967, so they have been separate lots for a long time.

MR. TORLEY: The question is however if you look in your little insert, that particular part of the law, do these lots, will they meet the substandard lot definitions?

MR. BABCOCK: Yes, these lots though were created before that.

MR. TORLEY: But lot 10 if we were going de novo would meet the criteria for acceptable substandard lot?

MR. BABCOCK: Based on the size house they want to put on there.

MR. TORLEY: It has water and sewer and all the dimensions required?

MR. BABCOCK: To my knowledge, there's water and sewer in the area so I'm sure they can get it somehow.

MR. TORLEY: Taking advantage of that section of the code that envisioned or encompassed old small lots so this really would be not, this would be an acceptable lot under that part of the code?

MR. BABCOCK: Yes.

MR. TORLEY: I'm looking at this code as saying if you had a couple lots they're very small lots, they had them in one ownership, now the zoning changed to two acres, each of the lots was a quarter.

MR. BABCOCK: Larry, this is just the reverse of the last one that we had where we had a guy that had a house on his lot and he owned the lot next door and he wanted to sell the vacant lot next door which the law says two non-conforming lots, you know, the thing, in this instance if they wanted to sell this lot first they sold the lot with the house on it so it's basically the same situation. If they both, if they owned it right now, right now what's the record, is the record owner of these two lots same person?

MR. WHITAKER: No, I think there was a fella named Manning bought that house.

MR. TORLEY: So the lots, we have the lot we're talking about lot 10 is in ownership of?

MR. WHITAKER: Of the Crudeles.

MR. TORLEY: And 11.1 and lot 7.

MR. WHITAKER: No, 7 is Rose's home, that was part--

MR. TORLEY: That's the adjoining non-conforming lot, not 10 and 11.1, it's 10 and 7?

MR. BABCOCK: Now, yes, it was 7, 10 and 11.

MR. TORLEY: Now it's just 7 and 10.

MR. KANE: That's clearer and lot 7 again is held separately paid taxes on it separately?

MR. WHITAKER: Yes, that was the original Crudele home, they lived there until they built the other house on 11.1.

MR. REIS: Michael, prior to the change in the minimum zoning square foot of a lot, this was an acceptable lot, was it not?

MR. BABCOCK: This lot would have to be 15,000 square feet, it's only 12,000.

MR. WHITAKER: It's 12,600.

MR. BABCOCK: Right, it's one of the bigger lots in the area.

MR. KRIEGER: So let me see if I understand. Originally, James owned a block which a whole group of lots containing 7, 10, 11.1.

MR. WHITAKER: Yes, if I can see your map here, all right, he owned all this, he went all the way down to 75 feet from Foley Avenue down here.

MR. TORLEY: He owned a large string of lots.

MR. WHITAKER: Yes and what happened was--

MR. KRIEGER: When he owned them, were they separate when he first acquired them, were they separate lots?

MR. WHITAKER: No, they were part of an old farm.

MR. KRIEGER: How did they become broken up into separate lots?

MR. WHITAKER: I guess he just did it when he--

MR. KRIEGER: So he didn't have a formal subdivision, this was before formal subdivisions?

MR. WHITAKER: Right.

MR. KRIEGER: He just sold off the lots. Okay, now who owns 7 now?

MR. WHITAKER: Seven was deeded to Rose, she was the one who stayed home, took care of the old folks and she lives here now.

MR. KRIEGER: That was in '97?

MR. WHITAKER: She lived in 11.1 and that was the old family home deed deeded to her.

MR. KRIEGER: So it's still owned by Rose?

MR. WHITAKER: Yes.

MR. TORLEY: So 11.1 is now in a separate ownership aside from the family?

MR. WHITAKER: Yes.

MR. KRIEGER: Who owns 10?

MR. WHITAKER: That's the vacant lot we're talking about.

MR. KRIEGER: Who owns it?

MR. WHITAKER: Crudele.

MR. TORLEY: The entire family?

MR. WHITAKER: Three girls and a boy.

MR. TORLEY: Seven is owned individually by one of those, so lot 10 is not really owned in common ownership, she's a part owner of the other set.

MR. KANE: Exactly.

MR. TORLEY: How many letters were sent?

MS. MASON: On March 5, 50 addressed envelopes containing public hearing notice were mailed out.

MR. TORLEY: Is there anyone in the audience who wishes to speak on this? Let the record show there is none. Gentlemen, any other questions?

MR. REIS: Accept a motion?

MR. KRIEGER: Wait, there are basically two questions here, one involving the common ownership or not and one involving the substandard bulk regulations.

MR. BABCOCK: Well, right, this is one thing that the board has to discuss because what we're saying is that if it falls in the category of 48-26 of common ownership, then the bulk regulations are now 15,000 square foot for lot 10. If it's not in the same ownership and it's a separate lot, the bulk regulations are 5,000 square foot so he could and he qualifies.

MR. TORLEY: So the question that you're asking us to determine is whether this lot 10 falls under 48-26B?

MR. BABCOCK: That's correct.

MR. TORLEY: As being whether this is separate ownership or not?

MR. BABCOCK: That's correct.

MR. TORLEY: Legal question for our attorney. Three people own lot A, one of those three people own, individually owns lot B, are lot A and B in common ownership cause two people don't own the third lot?

MR. KRIEGER: It's not, and the answer to your question is I don't believe so looking at the statute for this reason. The person who owns in this case lot 7 could not unilaterally sell or control lot 10. That person couldn't do anything with lot 10 without the concurrence of all of the other co-owners. I think the statute is intended to address a situation where one person or the same persons if it's a duplicate or entity actually controls two lots that are side by side. If there's any difference and if there's an absence of control, I don't think the statute would apply.

MR. TORLEY: I know why you set this one up, Mike.

MR. BABCOCK: It's confusing.

MR. TORLEY: In that case, gentlemen, accept a motion regarding an interpretation I think is what we're looking for here.

MR. REIS: Interpretation of ownership.

MR. KRIEGER: Whether or not the two lots are--

MR. TORLEY: Whether or not this lot is considered to be a non-conforming as a bulk regulations lot held in common ownership with an adjacent lot as per 48-26B. All motions must be in the positive.

MR. KANE: So remember that when you vote.

MR. TORLEY: Do I hear a motion?

MR. REIS: I make a motion that we grant the Crudele property lot in separate ownership from lot 7, all right, as an independent lot with separate ownership and that we grant them the right, that the interpretation is that it's not in the same ownership but independent ownership.

MR. TORLEY: Might I rephrase that, that we find that lot 10 and lot 7 are not two non-conforming subdivision lots held in common ownership and therefore, Section

March 24, 2003

17

48-26B does not apply and this lot 10 would then fall under Section 48-26E and be a permissible building lot.

MR. BABCOCK: That's correct.

MR. KANE: Second the motion.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE



RESULTS OF Z.B. MEETING OF: March 24, 2006

PROJECT: Whitaker (for Rose Crudele)

ZBA # 03-07
P.B.#



USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____
REIS _____ CARRIED: Y _____ N _____
KANE _____
TORLEY _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) Rivera S) K VOTE: A 4 N 0.

RIVERA A
MCDONALD _____
REIS A
KANE A
TORLEY A

CARRIED: Y ☒ N _____.

Common Ownership
*
Bulk Regs } Interpretation - Not in Common Ownership
Lot #10 Does not

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4615 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: January 22, 2003

APPLICANT: Francis E. Whitaker
4 Central Ave.
Newburgh, NY 12550

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: January 21, 2003

FOR : Proposed single family residence

LOCATED AT: Myrtle Ave.

ZONE: R-4 Sec/Blk/ Lot: 15-2-10

DESCRIPTION OF EXISTING SITE: SBL 15-2-10

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-26. Non conforming lots of record. A variance is required for a residential building lot attached to other adjoining land in the same ownership which is nonconforming as to bulk regulations. Building lot is 12,640 sq ft. R-4 zone requires 15,000 sq ft.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: Proposed
Single Family

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

1/23/03 Sent Application

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

JAN 21 2003

ZONING BOARD

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #:

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Rose Anna Crudele, Carmella Crudele Hillman, John J. Crudele & Caroline Sarvis,

Address Francis C. Whitaker Lane, Smyrna Phone # 561-9377

Mailing Address 4 Central Ave. Newburgh, NY 12550 Fax #

Name of Architect Drago & Rifkin Architect & Planners

Address 201 Ward Street Suite J Montgomery, NY 12549 Phone 845-457-3732

Name of Contractor JT&A Enterprises

Address P.O. Box 604, Cornwall, NY 12518

Phone 534-8536

State whether applicant is owner, lessee, agent, architect, engineer or builder builder

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer) Jeffrey A. Perry

1. On what street is property located? On the right - West side of Myrtle
(N, S, E or W)
and 350' feet from the intersection of Broadway Avenue
2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y N
3. Tax Map Description: Section 15 Block 2 Lot 10
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
 - a. Existing use and occupancy Single Family dwelling
 - b. Intended use and occupancy single family dwelling
5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? No
7. Dimensions of entire new construction. Front 45' Rear 45' Depth 28' Height 24' No. of stories 2 bi-level
8. If dwelling, number of dwelling units: Single family Number of dwelling units on each floor _____
Number of bedrooms 3 Baths 2 1/2 Toilets 3 Heating Plant: Gas X Oil _____
Electric/Hot Air _____ Hot Water baseboard If Garage, number of cars 2 car
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use Residential

10. Estimated cost \$80,000.00

Fee \$58-

PAID

CA# 2452

ZONING BOARD

Low

LOW PLANNING BOARD

APPLICATION FOR BUILDING PERMIT TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
 Asst. Inspectors: Frank Liel & Paula Krychew
 New Windsor Town Hall
 555 Union Avenue
 New Windsor, New York 12553
 (845) 563-4818
 (845) 563-4885 FAX

Bldg Insp Examined _____
 Elec Insp Examined _____
 Approved _____
 Disapproved _____
 Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and codes that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

PO Box 604, Cornwall, NY 12518

(Signature of Applicant)

Jeffrey A. Perry

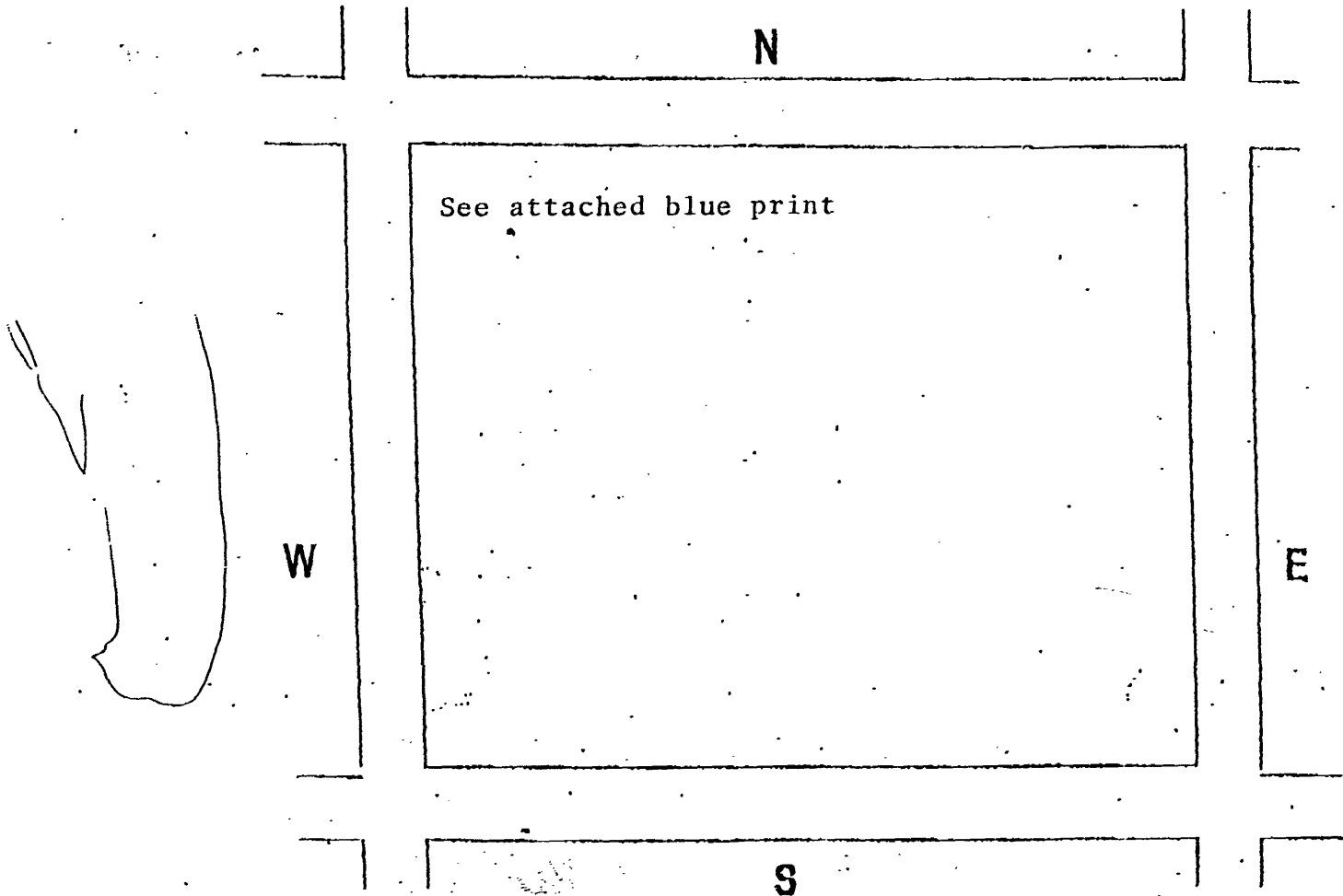
(Address of Applicant)

(Owner's Signature)

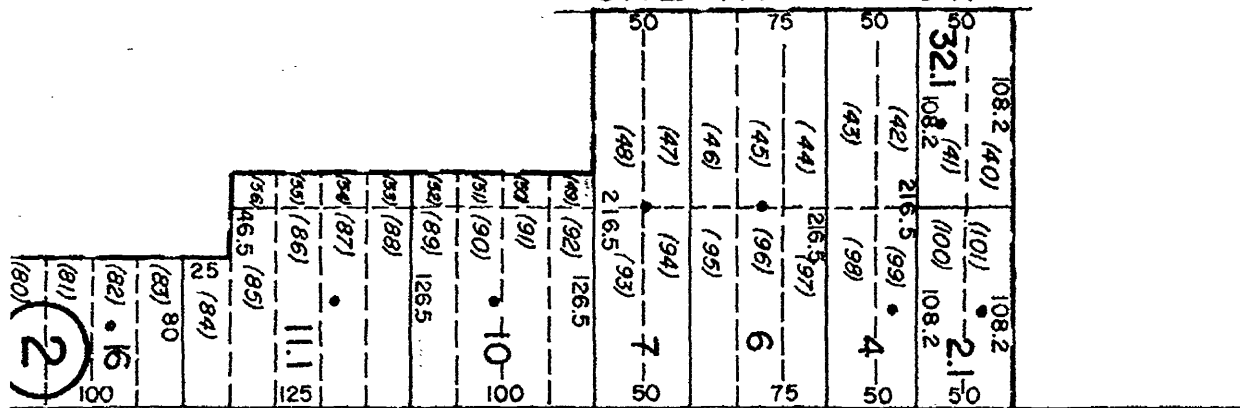
78 Myrtle Ave New Windsor

PLOT PLAN

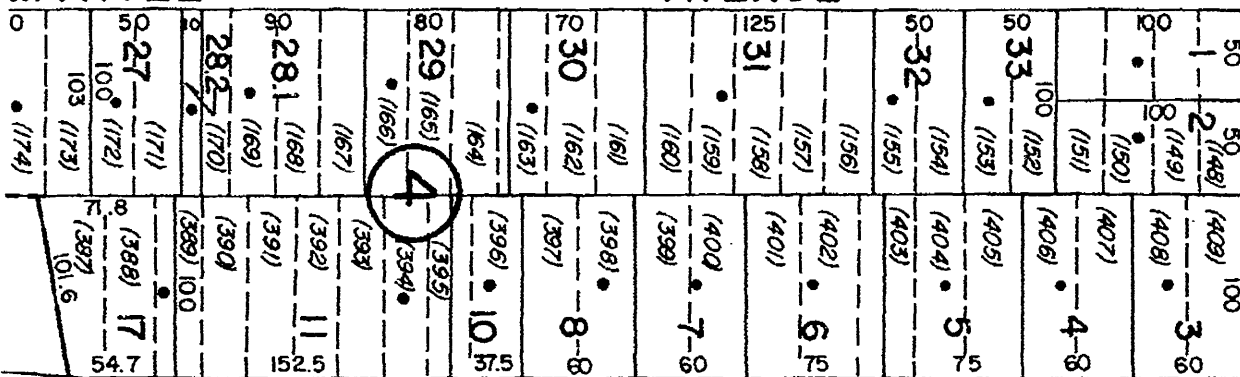
NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



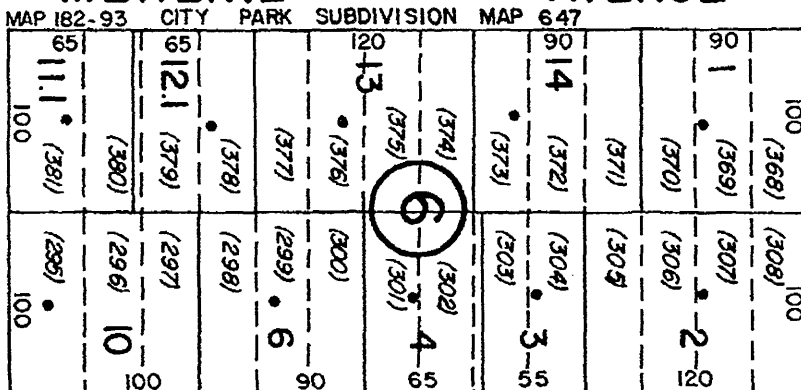
CHERRY ST.



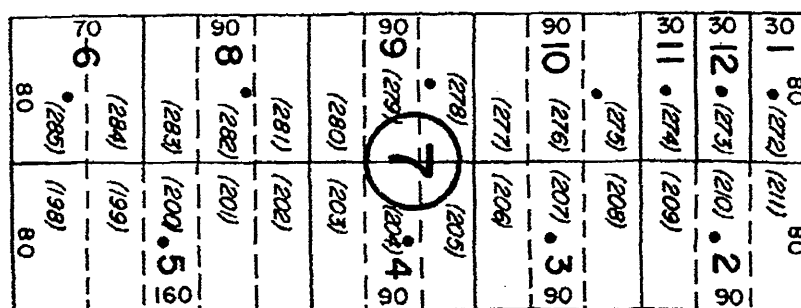
MYRTLE—CLANCY TERRACE SUBDIVISION—AVENUE



MERLINE— — — AVENUE



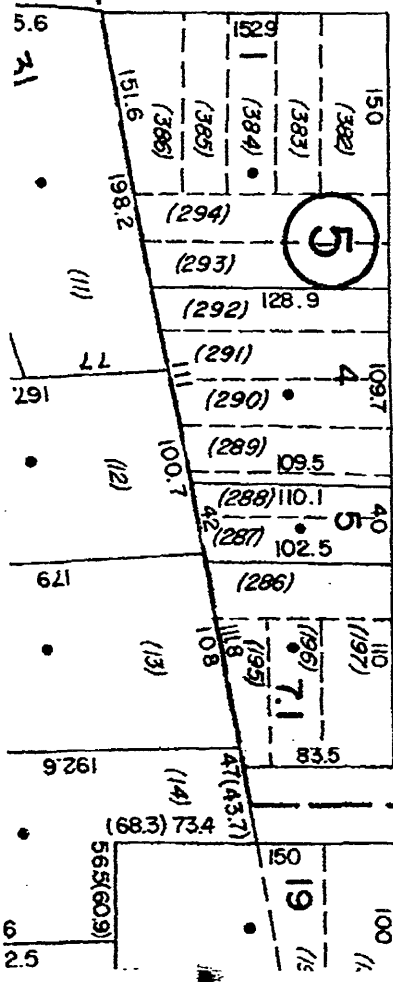
LAWRENCE— — — AVENUE



MELROSE— — —VENUE



GOODMAN — AVENUE





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

March 19, 2003

Mr. Francis Whitaker
4 Central Avenue
Newburgh, NY 12550

SUBJECT: CRUDELE PUBLIC HEARING - ZONING BOARD

Dear Mr. Whitaker:

This is just a reminder that your Public Hearing before the Zoning Board of Appeals for your requested variance at:

**CRUDELE PROPERTY
MYRTLE AVENUE
NEW WINDSOR, NY**

is scheduled for the March 24th, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,


Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

-----X

ROSE CRUDELE

#03-07


Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 03-07

Request of ROSE CRUDELE

for a VARIANCE of the Zoning Local Law to Permit:


A residential building lot, attached to other adjoining land in the same ownership, which is nonconforming as to bulk regulations.

being a VARIANCE of Section 48-26

for property located at: Myrtle Avenue

known and designated as tax map Section 15 Block 2 Lot 10

**PUBLIC HEARING will take place on March 24th, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**


Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

February 26, 2003

Francis Whitaker
4 Central Ave.
Newburgh, NY 12550

Re: 15-2-10

Dear Ms. Crudele:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley
Sole Assessor

JTW/jjl
Attachments

CC: Myra Mason, ZBA

- ✓ 9-1-55
The Town of New Windsor
555 Union Ave.
New Windsor, NY 12553
- ✓ 15-2-16
Gaetano Rizzo
116 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-4-4
David Crawford
10 Hilltop Ave.
New Windsor, NY 12553
- ✓ 18-1-17
William A. Cherry
C/o Ruth Cherry
118 Cedar Ave.
New Windsor, NY 12553
- ✓ 15-2-20
Alfonso & Rosalia Spoto
118 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-4-5
David Yonnone
74 Merline Ave.
New Windsor, NY 12553
- ✓ 18-1-18
John A. Jr. & Lucia M. Maers
112 Meriline Ave.
New Windsor, NY 12553
- ✓ 15-2-23 & 15-2-24 & 15-2-25 & 15-2-26
Vincent & Theresa Di Chiaro
128 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-4-6
Michael W. & Sharon I. Alexander
80 Merline Ave.
New Windsor, NY 12553
- ✓ 18-1-19
Thomas F. Prendergast
110 Meriline Ave.
New Windsor, NY 12553
- 15-4-7
✓ Cosmo, David & Vincent Yonnone
Life Estate for Anna M. Yonnone
82 Merline Ave.
New Windsor, NY 12553
- ✓ 18-1-20
Frederick F. Jr. & Linda Ann Zamenick
108 Meriline Ave.
New Windsor, NY 12553
- ✓ 15-3-02
Vincent R & Rose De Fabio
1 Foley Ave.
New Windsor, NY 12553
- ✓ 15-4-8 & 15-4-30
Ronald M. & Lari-Sue
88 Merline Ave.
New Windsor, NY 12553
- ✓ 15-2-2.1 15-2-32.1
James Whelan
13 Holts Lane
Cornwall On Hudson, NY 12520
- ✓ 15-3-4
Edward & Rita Mastrorocco
3 Foley Ave.
New Windsor, NY 12553
- ✓ 15-2-4
Vincent F. & Colleen M. White
72 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-3-6 & 15-4-19
John Petro
8 Park Hill Dr.
New Windsor, NY 12553
- ✓ 15-4-10
Robert J. & Rose H. Gilfeather
90 Merline Ave.
New Windsor, NY 12553
- ✓ 15-2-6
Joseph Vignogna
74 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-4-1
Daniel & Delores D'Elicio
53 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-4-11
Margaret & Caroline & Frank Komar
96 Meriline Ave.
New Windsor, NY 12553
- ✓ 15-2-7
Rose Anna Crudele
78 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-4-2
Anne Corso
37 Bradford Ave.
New Windsor, NY 12553
- ✓ 15-4-17
Charles & Mazzola & Marlene Carlstrom
323 Frozen Ridge Road
Newburgh, NY 12550
- ✓ 15-2-11.1
Rose Anna Etal Crudele
Life Est. for Elvira M. Crudele
90 Myrtle Ave.
New Windsor, NY 12553
- ✓ 15-4-3
John & Victoria Deluccia
64 Meriline Ave.
New Windsor, NY 12553
- ✓ 15-4-21
Louis J. Vignogna
111 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-22
William & Shirley Petro
109 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-25
Carlos A. Vega Jr.
101 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-27 & 15-4-28.2
John J. Veneziali
99 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-28.1
Richard & Mary Ann Hotaling
95 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-29
Arthur D & Clara Mott
91 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-31
Cosmo J. & Stephanie A. Yonnone
67 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-32
Vincent J. Yonnone
63 Myrtle Ave.
New Windsor, NY 12553

✓ 15-4-33
Thomas J. Monaghan & Mary T. Collins
Life Est. For Frances Linton
C/o Frances Linton
59 Myrtle Ave.
New Windsor, NY 12553

✓ 15-5-1
John F. & Frances Homin
91 Meriline Ave.
New Windsor, NY 12553

✓ 15-5-4
Rebecca Foster
14 Goodman Ave.
New Windsor, NY 12553

✓ 15-6-1
Manuel Dominguez
29 Bradford Ave.
New Windsor, NY 12553

✓ 15-6-2
Gregory P. Greiner
70 Lawrence Ave.
New Windsor, NY 12553

✓ 15-6-3
Percy Reyes
74 Lawrence Ave.
New Windsor, NY 12553

✓ 15-6-4
William R. Oliver
954 Rte. 32
Wallkill, NY 12589

✓ 15-6-6 & 15-6-10
Michelle Roach
32-30 Cruger Ave.
Bronx, NY 10467

✓ 15-6-11.1
Alcides B. & Alexandra C. AKA
Alejandrina Blanco
87 Meriline Ave.
New Windsor, NY 12553

✓ 15-6-12.1
Louis T. Sr. & Louise C. Pisano
Dante & Jennifer J. Dichiaro
81 Meriline Ave.
New Windsor, NY 12553

✓ 15-6-13
Micah A. & Julie L. Salisbury
77 Meriline Ave.
New Windsor, NY 12553

15-6-14
✓ Anita Spencer & Thomas Smith
73 Meriline Ave.
New Windsor, NY 12553

✓ 15-8-30
John J. Ulrich & Kimberly E. Lenz
120 Blanche Ave.
New Windsor, NY 12553

✓ 15-8-31
John J. Jr. & Georgia C. Ulrich
105 Meriline Ave.
New Windsor, NY 12553

✓ 15-8-32
Robert J. & Deborah P. Quattrociochi
118 Blanche Ave.
New Windsor, NY 12553

28
22
50

22

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 2/11/03 PROJECT NUMBER: ZBA# 03-07 P.B. # _____

APPLICANT NAME: ROSE A. CRUDELE

PERSON TO NOTIFY TO PICK UP LIST:

FRANCIS WHITAKER
4 CENTRAL AVENUE
NEWBURGH, NY 12550

TELEPHONE: 565-8229

TAX MAP NUMBER:	SEC. <u>15</u>	BLOCK <u>2</u>	LOT <u>10</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	BLOCK _____	LOT _____

PROPERTY LOCATION: MYRTLE AVENUE
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
 OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXXXXX

❖ ❖

AMOUNT OF DEPOSIT: \$25.00 CHECK NUMBER: 130

TOTAL CHARGES: _____

FRANCIS WHITAKER (FOR ROSE CRUDELE) #03-07

Mr. Francis Whitaker appeared before the board for this proposal.

MR. TORLEY: Request for variance of Section 48-26B of the Zoning Code - nonconforming residential lot which does not meet bulk regulations, attached to land in the same ownership on Myrtle Avenue in an R-4 zone.

MR. WHITAKER: Good evening. I represent the Crudele family on this matter. They own three lots down in Myrtle Avenue just south of Bradford and one of them is with a fairly new house on it, the second one is a big vacant lot and the third one is the house, an old two story house. And what they're doing it's actually their parents' house and they're trying to sell the house and the vacant lot, the vacant lot particularly as a building lot, however, they ran into problems because the zoning is 12,600 square feet when they need 15,000 so they're asking for a variance on this.

MR. TORLEY: Part of the problem that our code reflects you have a string of non-conforming lots but they're all in one ownership, the code says that one lot, you can't make non-conforming lots cause you owned them all to begin with so you're asking for an appeal of that part as well.

MR. WHITAKER: Well, these are all separate lots, in other words, they kept them separate lots through the years.

MR. TORLEY: They were kept as separate tax lots?

MR. WHITAKER: Yes.

MR. TORLEY: But all in the same ownership.

MR. WHITAKER: Well, they're all the in the same ownership now because there's only the daughters and one son left and over the years, they have been deeded to the daughters and the one son.

MR. TORLEY: So what I'm looking at according to the

tax map there were four lots and what you're saying you've got a house here?

MR. WHITAKER: No, house here and a house here.

MR. TORLEY: And this whole lot?

MR. WHITAKER: This is just one big vacant lot.

MR. KRIEGER: How long have they been in common ownership?

MR. WHITAKER: In common ownership, gee, I think '33 or somewhere before that.

MR. KRIEGER: Well, you said this is the daughter, she didn't always own it, it was transferred.

MR. WHITAKER: Well, what happened was the father owned, bought these lots through the years, he took the 5 on one side and put a big house on it, he bought the, he also had the 4 next to it, which is the one we're talking about, tax parcel 10, then he took, he bought the 2, actually the four lots next to it, two in the front, two in the back with an old house on it and that's one that Rose is keeping, that's here house now but the family's trying to sell the others.

MR. REIS: Mr. Chairman, correct me if I'm wrong, Michael, maybe you can add to this, the variance that he is seeking has to do with the four lots which was a satisfactory lot prior to current zoning, correct?

MR. KRIEGER: What you're saying these four lots outlined are all in separate ownership or separate tax deed?

MR. WHITAKER: Yes, they're in the process right now of getting rid of 11.1, they sold that and that's just been finalized.

MR. KRIEGER: 11.1 is being sold as one giant lot?

MR. WHITAKER: Yes, that's with the big house on it.

MR. BABCOCK: Lot 10 is one lot as we speak?

MR. WHITAKER: Yes.

MR. BABCOCK: Lot 11.1 is also one lot in the same ownership, those two lots do not meet the non-conforming standards or they do meet the non-conforming standards, excuse me, the problem with it is that they're in the same ownership so they're a non-conforming lot which Section 48-26 says, describes a non-conforming lot and goes on to say if you have two or more non-conforming lots in the same ownership, adjacent lots, you have three years from the time of the zone change to apply for a building permit. That time has expired.

MR. TORLEY: By 20 years.

MR. BABCOCK: Well, I think this, 1986 is my guess when this, we know it's more than three years, so we didn't bother searching out the time.

MR. KANE: But we're talking a massive amount of time.

MR. TORLEY: Yeah, 15 years.

MR. KRIEGER: So who owns 11.1?

MR. BABCOCK: Same person.

MR. KRIEGER: Only in her name or joint name?

MR. WHITAKER: No, there's three daughters and one son, they own 11.1.

MR. KRIEGER: All collectively own 11.1?

MR. WHITAKER: All collectively own 10.

MR. KRIEGER: And the same four owners own 10?

MR. WHITAKER: Yes.

MR. KRIEGER: Did they acquire them both at the same time, one after the other?

MR. WHITAKER: I think, you see, I can't remember, I have the list of when the father died, 11.1 went to the mother and the mother just died a few years back but the other, but 10 I think went to the sons and daughters after the father died.

MR. KRIEGER: From the father to the four?

MR. WHITAKER: Yes.

MR. KANE: At a public hearing we'd need some exact dates.

MR. TORLEY: Because if the mother owned 11.1 and the children owned 10 and the mother just died, they weren't in joint, separate ownership, unless the mother died four or five years ago.

MR. KANE: That's not 18 years in between.

MR. WHITAKER: Father just died, the mother just died a couple years back.

MR. KRIEGER: Well, having copies of the deeds to the parcels will tell you when it was transferred.

MR. TORLEY: If it was less than three years ago.

MR. KANE: Doesn't need to be.

MR. TORLEY: Is that the case?

MR. BABCOCK: What we would, look, we don't have any objection either way, but we'd like to have something from the board so it's on record of how you determined what this is.

MR. TORLEY: Then we need a public hearing.

MR. BABCOCK: So when they go to sell the lot, it's done, that's it.

MR. TORLEY: In that case, it would be an interpretation and/or use variance or area variance.

MR. WHITAKER: Let me pose a question to you this way, 11.1 is, I said is up on the block, in fact, it's very close to closing, if I come back the next time and that's not under the name, Crudele, does that make a change in this?

MR. TORLEY: No, I don't know, that's, I would have to think long and hard about that.

MR. REIS: What's the minimum zoning?

MR. BABCOCK: For a non-conforming lot, it's 5,000 square feet in the R-4 zone today is 15,000.

MR. WHITAKER: What the brothers and sisters did they told her to take this one, that's her home now.

MR. TORLEY: So now what you're saying is to summarize the mother owned this lot, the children owned this lot and the father owned--

MR. WHITAKER: No, the father owned all three lots.

MR. TORLEY: One, two and all this.

MR. WHITAKER: No, no, only 7, 7, 10 and 11.1, he died first and he had a tendency to--

MR. TORLEY: And the mother took title to 11.1 Who owns 7 and the children had 10?

MR. WHITAKER: One of the sisters, Rose, she's the one who's the caregiver.

MR. TORLEY: So lot 7 has a house on it?

MR. WHITAKER: Yes.

MR. TORLEY: Lot 11.1 has a house?

MR. WHITAKER: Yes.

MR. TORLEY: Lot 10 doesn't?

MR. WHITAKER: Right.

MR. TORLEY: Rose is part owner of this lot as well?

MR. WHITAKER: Yes.

MR. KRIEGER: I'm not sure it makes it common ownership.

MR. TORLEY: We'll have to think about it.

MR. KANE: We need to see the deeds and titles.

MR. TORLEY: Do you have any other questions you'd like to ask?

MR. KANE: No, sir. Mr. Chairman, I move we set up Francis Whitaker for Rose Crudele for a public hearing on their requested variances and/or an interpretation.

MR. MC DONALD: Second it.

ROLL CALL

MR. KANE	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. TORLEY	AYE



RESULTS OF Z.B.A. MEETING OF: February 10, 2003

PROJECT: Rose Crudele - Preliminary ZBA # 03-07
P.B.# _____



USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) K S) M VOTE: A 5 N 0
RIVERA A
MCDONALD A
REIS A
KANE A
TORLEY A
CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

RIVERA _____
MC DONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

Need dates of ownerships
Need copies of Deeds & Titles

Interpretation and for Area Variance

Need proof of Power of Atty

§ 48-26. Nonconforming lots of record.

- A. A residential plot separated by other land not in the same ownership, and nonconforming as to bulk on the date of enactment or the effective date of subsequent Zoning Local Law amendments, whether or not located in and part of a subdivision, and approved by the Planning Board of the Town of New Windsor and filed in the office of the Orange County Clerk, which does not have a total plot area specified for residential use in § 48-12, may be used for any use permitted by right in the zoning district in which the plot is located, provided that such uses comply with the bulk and area and yard regulations as specified in the highest residential district having the same or less plot width. Where such residential district requires certain utilities, the provision of such shall be prerequisite to its residential use.
- B. Two or more nonconforming subdivision lots, not in separate ownership, in a subdivision approved by the Planning Board prior to the effective date of this local law, shall have three years from the date of final approval by the Planning Board to obtain a building permit under the provisions of § 48-26A. Any nonconforming plot in a subdivision finally approved by the Planning Board more than three years prior to the effective date of this local law shall not be eligible to receive a building permit, and said subdivision, part or plot thereof shall be resubmitted to the Planning Board in accordance with the applicable provisions of this local law.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

February 6, 2003

Mr. Francis E. Whitaker
4 Central Avenue
Newburgh, NY 12550

SUBJECT: CRUDELE REQUEST FOR VARIANCE - ZBA FILE #03-07

Dear Mr Whitaker:

This letter is to inform you that you have been placed on the February 10th, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Myrtle Avenue
New Windsor, Ny
tax map #15-2-10

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#98-2003

01/31/2003

Crudele, Rose
Myrtle Avenue
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 01/31/2003. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ROSE A. CRUDELE 565-8229
90 MYRTLE AVE.
NEW WINDSOR, NY 12553

Date January 27, 2003 29-7003/2213 469

Pay to the Order of zoning Board of appeals \$ 25.00

Twenty five dollars and no/100 Dollars

CHARTER ONE BANK

For Public Hearing

1:2213700101 4690599406 0130

ZBA #03-07 Application Fee

ROSE A. CRUDELE 565-8229
90 MYRTLE AVE.
NEW WINDSOR, NY 12553

Date January 27, 2003 29-7003/2213 469

Pay to the Order of zoning Board of appeals \$ 50.00

Fifty dollars and no/100 Dollars

CHARTER ONE BANK

For Variance Filing Fee

1:2213700301 4690599406 0129

ZBA 03-07. ESCROW

ROSE A. CRUDELE 565-8229
90 MYRTLE AVE.
NEW WINDSOR, NY 12553

Date January 27, 2003 29-7003/2213 469

Pay to the Order of zoning Board of appeals \$ 300.00

Three hundred dollars and no/100 Dollars

CHARTER ONE BANK

For Variance Application

1:2213700301 4690599406 0131

03-07



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

JANUARY 12, 2003

Date

Application Type: Use Variance ☒ Area Variance ☒

Sign Variance ☐ Interpretation ☐

I. Owner Information:

Phone Number: (845) 565-8229

ROSE A CRIDALE ETAL

Fax Number: ()

(Name)

78 MYRTLE AVE - NEW WINDSOR

(Address)

II. Purchaser or Lessee:

Phone Number: ()

Fax Number: ()

(Name)

(Address)

III. Attorney:

Phone Number: ()

Fax Number: ()

(Name)

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number (845) 561-9377

Fax Number: ()

FRANCIS E. WHITAKER L.S.

(Name)

9 CENTRAL AVENUE NEWBURGH N.Y. 12550

(Address)

V. Property Information:

Zone: R-4 Property Address in Question: _____

Lot Size: 100X126.5 Tax Map Number: Section 15 Block 02 Lot 10

a. What other zones lie within 500 feet? R60A P1

b. Is pending sale or lease subject to ZBA approval of this Application? yes

c. When was property purchased by present owner? 1930?

d. Has property been subdivided previously? No If so, When: _____

e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? No

f. Is there any outside storage at the property now or is any proposed? No

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

03-07

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE:

Area Variance requested from New Windsor Zoning Local Law,

Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	<u>15000</u>	<u>12654</u>	<u>2346 sq. ft.</u>
Min. Lot Width	<u>100</u>	<u>100</u>	
Reqd. Front Yd.	<u>35</u>	<u>35</u>	
Reqd. Side Yd.	<u>15/30</u>	<u>15/30</u>	
Reqd. Rear Yd.	<u>40</u>	<u>40</u>	
Reqd. St Front*	<u>60</u>	<u>100</u>	
Max. Bldg. Hgt.	<u>35</u>		
Min. Floor Area*	<u>1090</u>	<u>1640</u>	
Dev. Coverage*	<u>14% 30% 14% app</u>	<u>14%</u>	
Floor Area Ratio**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

03-07

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

THIS IS A GOOD BUILDING LOT AND THE
NEW PROPOSED HOUSE WILL FIT IN WELL WITH THE NEIGHBORHOOD,
WHICH IS A MIX OF SMALL, MEDIUM & LARGE LOTS,

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

03-07

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

XIII. ATTACHMENTS REQUIRED:

- ☐ ~~Copy of referral from Building/Zoning Inspector or Planning Board.~~
- ☐ ~~Copy of tax map showing adjacent properties.~~
- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ ~~Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.~~
- ☐ ~~Copies of signs with dimensions and location.~~
- ☒ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☒ One in the amount of \$ 300.00, (escrow)
- ☒ One in the amount of \$ 50.00, (application fee)
- ☒ One in the amount of \$ 25.00, (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles.

1/27/03
Date:

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

[Signature] ETH
(Applicant Signature)

Sworn to before me this 27th day of

January 2003

Rose Anna Cordeiro
(Please Print Name)

JERALD FIEDELHOLTZ
Notary Public, State of New York
Residing in Orange County

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

Commission Expires May 31, 2004

03-07

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APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Rose A Crudele ETAL, deposes and says that he resides
(OWNER)
at 78 MYRTLE AVENUE NEW WINDSOR in the County of ORANGE
(OWNER'S ADDRESS)
and State of NEW YORK and that he is the owner of property tax map
(Sec. _____ Block _____ Lot _____)
designation number (Sec. 15 Block 02 Lot 10) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Francis E. Whitaker Land Surveyor
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: July 27, 03

Rose A Crudele ETAL
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this 27th day of

January 2003

Applicant's Signature if different than owner

Francis E. Whitaker
Representative's Signature

JERALD FIEDELHOLTZ
Notary Public, State of New York
Residing in Orange County
No. 1206885
Commission Expires May 31, 2003

****PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

03-07